

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:12-cv-00334-MR-DLH

P.B., as lawful guardian *ad litem* of)
Minor Child, JANE DOE,)

Plaintiff,)

vs.)

ORDER

BURKE COUNTY PUBLIC SCHOOLS)
BOARD OF EDUCATION, LINDA)
BRADSHAW, JOHN ROES 1-10, and)
MICHAEL ANDREW ALEXANDER,)

Defendants.)

THIS MATTER is before the Court on the Answer of Defendant Michael Andrew Alexander [Doc. 12].

The Defendant Alexander's Answer, which was filed *pro se*, identifies the Plaintiff and the minor child for whom the Plaintiff serves as guardian *ad litem* by their full names. Rule 5.2 of the Federal Rules of Civil Procedure provides that "[u]nless the court orders otherwise, in an electronic or paper filing with the court that contains . . . the name of an individual known to be minor, . . . a party . . . making the filing may include only . . . the minor's

initials” Fed. R. Civ. P. 5.2(a)(3). The Defendant’s Answer is in violation of this Rule.¹

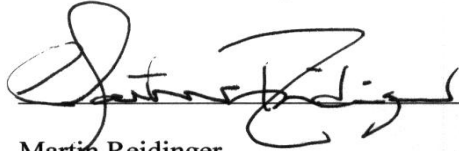
Further, the Court notes that the Answer is not signed by the Defendant. Rule 11 of the Federal Rules of Civil Procedure requires that any pleading filed by an unrepresented party must be signed by that party and include the signer’s address and, if applicable, the signer’s e-mail address and telephone number. Fed. R. Civ. P. 11(a). The Court is required to strike an unsigned pleading “unless the omission is promptly corrected after being called to the . . . party’s attention.” Id.

IT IS, THEREFORE, ORDERED that the Defendant shall re-file his Answer within fourteen (14) days of the entry of this Order. The re-filed Answer shall refer to the minor party only by his or her initials. In the interest of protecting the minor’s identity, only the guardian *ad litem*’s initials should be used as well. Additionally, the re-filed Answer shall be signed by the Defendant. **The Defendant is advised that failure to re-file his Answer as required by this Order will result in his Answer being stricken from the record.**

¹ In order to protect the privacy of the minor party, the Defendant’s Answer has been placed under seal.

IT IS SO ORDERED.

Signed: January 30, 2013


Martin Reidinger
United States District Judge

